

## **Alaska Water Quality Standard Projects Quarterly Status Report –November 5, 2014**

### **1. Adoption of Antidegradation Implementation Methods (Division and CO priority)**

#### **Activity:**

- DEC staff have completed DRAFT comment response document
- Commissioner's Office is considering re-public notification of proposed regulation
- Commissioner's Office is considering holding additional public meetings/workshops on the proposed regulations to solicit additional feedback

#### **Challenges:**

- How to incorporate the needs of numerous stakeholder groups into the regulations and any guidance documents that may be developed

#### **Next Steps/Schedule:**

- DEC anticipates transmission of regulation package to EPA by the end of 2015.

**Decision required:** Internal to DEC

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### **2. Resolve Issues Delaying EPA Approval of Mixing Zone Guidance by EPA (Division and CO priority):**

#### **Activity:**

- DEC is waiting for feedback from Commissioner's Office on proposed regulatory language.

#### **ESA Consultation**

- Status?
  - Per KC: "There is only one aspect of consultation remaining and that is an analysis for the Beluga whale; a request letter does not need to be sent; EPA needs to update the BE and send it to the Services..."

#### **Challenges:**

##### **1. Mitigation**

- a. Agreement on proposed language and process

##### **2. Concurrent Flow**

- a. Agreement on proposed language and process

##### **3. ESA Consultation**

- a. EPA completing ESA consultation process concurrent to review of revisions of MZ regulations/guidance.
- Staying on schedule.
- Sharing early draft with EPA to check concepts prior to full management review.

**Next Steps/Schedule:**

- Send revised mitigation guidance to EPA (0?/?)

**Decision required?**

Not at this time

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**3. Monitor and Assist EPA Review of Residues Criteria (Division and CO priority)****Activity:**

- DEC met with EPA on 12/11 to discuss EPA staffing assignment for the residues review. EPA indicated they still do not have sufficient staff available to start the review of this 2011 WQS submittal.

**Challenges:** None noted at this time

**Next Steps/Schedule:**

- EPA assignment of staff

**Decision required?** EPA-internal

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**4. Evaluate options for revisions to Human Health Criteria (HHC): (Division and CO priority)****Activity:**

- DEC contracted an Alaska-specific draft fish consumption research literature review
  - Under internal review at this time
  - Potential to hold a HHC conference in the spring of 2015
- EPA issued new fish consumption rates (22 g/d) and updated HHC national criteria
  - DEC submitted formal comments

**Challenges:**

- Developing strategy, schedule, and milestones when new criteria and methodology issues are raised in different venues (other states, ACWA, Region 10-specific)
- Implementation issues must be considered from the start.
- “Proceeding carefully”- not jumping on a particular approach until different options have been vetted.
- Ensuring Commissioner’s Office concerns are adequately addressed at each stage of the process
- Thinking about Environmental Justice, Legality of implementation strategies, and how site specific information can be incorporated

**Next Steps/Schedule**

- Continue to monitor other state efforts including litigation to force EPA to promulgate HHC criteria for Washington (ongoing) and Idaho
- Continue to work on initial steps in Alaska's process
  - Peer review of FCR Lit Review inc. EPA staff
  - Kick off meeting for HHC Conference (11/12)

**Decision Needed:**

DEC-internal: Various steps are in process...

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## 5. Chuit River Basin Site Specific Criteria

**Activity:**

- DEC submitted SSC and reclassification documents to EPA (Beckwith) for consideration
- EPA mentioned transition of project to Maja Tripp (per PacRim) Need confirmation and clarification

**Challenges:**

- Coordinating numerous internal and external participants in process: DEC mining permits, WQS staff, DEC management, EPA, other state agencies, and PacRim Coal, Tetra Tech (PacRim's consultant)

**Next Steps/Schedule:**

- Await EPA response

**Decision Needed:**

DEC-Internal: Pending EPA response

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## 6. Girdwood/Glacier Creek Site Specific Criteria

**Activity:**

- DEC has drafted specific comments on project proposal.

**Challenges:**

None noted at this time

**Next Steps:**

- Provide comments to applicant
- Request EPA staff be assigned to project-send WER for preliminary review
- Establish "realistic" timeline based on AWWU/DEC/EPA feedback

**Schedule:** TBD

**Decision required?**

DEC Internal: Provision of comments to applicant

EPA-Internal: Assignment of staff for preliminary review of WER data and project proposal

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## 7. Update to Standard Analytical Methods

### Activity:

- DEC completed required regulation package documents and briefed Commissioner's Office
- Requested EPA to assign staff for review on 11/03

### Challenges:

- None noted

### Next Steps/Schedule:

- Request EPA WQS staff assignment to review pre-public notice draft regulations (11/03)

### Decision Required

EPA-internal-when to review

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## 8. 2015-2017 Triennial Review

### Activity:

- DEC is postponing public notice of triennial review to 2015

### Challenges:

- Determining which priority issues/topics the Standards section will work on

### Next Steps/Schedule:

- Approval from Commissioner's Office/Gov. Office to Public Notice

### Decision Required?

- DEC-internal

## 9. Other

**Ammonia: (Denise)** Tracking issue. Waiting for documentation from ACWA/EPA meeting on ammonia. Issue being considered as part of 2015-2017 triennial review cycle.

### **2012 RWQC: (Brock)**

- Need feedback from EPA regarding DEC adoption of marine criteria ONLY. Freshwater technically are not 304a criteria...Need to discuss timing and schedule internally.